

REISSUE PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Reissue Application of U.S. Pat. No. 5,917,455)

Applicants: Huynh and Mailandt)
Serial No.: 10/747,818)
Filed: December 29, 2003)
For: Electrically Variable Beam Tilt)
Antenna)

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this date.

09/19/06
Date


Eric D. Cohen
Reg. No. 38,110

SUPPLEMENT TO THIRD PRELIMINARY AMENDMENT
FOR NON-BROADENING REISSUE APPLICATION

MAIL STOP REISSUE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

This communication is in response to the Office Action dated August 29, 2006, and is a supplement to the third preliminary amendment for the above-identified reissue application originally filed by hand on November 8, 2005.

The Examiner requests that claims 34-49 filed on December 21, 2004 and claims 50-56 filed on November 8, 2005 be underlined. In that regard, claims 50-56 are now presently underlined in this document. Regarding claims 34-49, applicant wishes to bring to the Examiner's attention that these claims submitted in the Second Preliminary Amendment filed December 21, 2004, were indeed underlined, in accordance with the Rules. A copy of the Second Preliminary Amendment along with the PTO stamped receipt are attached for the Examiner's review to show that claims 34-49 have

already been underlined. Accordingly, applicant believe it has now complied with all of the rules.

Further, an executed supplemental reissue oath/declaration is attached hereto along with a re-executed Assent of Assignee To Reissue Application and re-executed Certificate Under 37 CFR 3.73(b). The recordation documents listed in the Certificate are not included herewith as the original copies were previously filed.

The remainder of this document is identical to the Third Preliminary Amendment filed November 8, 2005, except that the new claims have been underlined, as requested by the Examiner in the Office Action.

Please enter this preliminary amendment prior to consideration on the merits and charge deposit account No. 23-0920 for any and all fees, including fees for additional claims.

Note that applicant filed a preliminary amendment along with the reissue filing of December 29, 2003, and then filed a second preliminary amendment hand delivered and received on December 21, 2004. Applicant now files the subject third preliminary amendment. Further, applicant and the undersigned wish to thank the Examiner for the courtesy extended to the undersigned, Eric D. Cohen, and John Coul during an Examiner's interview conducted in person on October 26, 2005.

AMENDMENT TO THE SPECIFICATION:

Please amend the Abstract as follows:

An antenna assembly having an operating frequency and a vertical radiation pattern with a main lobe axis defining a downtilt angle with respect to the earth's surface. The antenna assembly comprises a plurality of antennas in first, second, and third antenna groups physically disposed along a backplane, the backplane having a longitudinal axis along which the antennas are disposed, and a phase adjustment mechanism electrically connected disposed between the first and third antenna groups, such that adjustment of the phase